

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:
PONCI AQUEDALE THORPE
7628-B WEBB CHAPEL ROAD
OXFORD, NC 27565

CASE NO: 05-00106-5-JRL
CHAPTER 13

TRUSTEE'S MOTION TO DISMISS

The undersigned Chapter 13 Trustee hereby moves the Court to dismiss the above-referenced case for the reason(s) set forth below:

The Plan is not feasible in that the Secured and/or Priority creditors are not paid in full.

The Plan has not been modified.

The Debtor is hereby notified that unless a written response and request for hearing (if a hearing is desired) is filed with the Court within **twenty (20) days** of this Motion, the Court may summarily dismiss this case without further notice.

DATED: November 10, 2009

/s/John F. Logan
JOHN F. LOGAN
CHAPTER 13 TRUSTEE

CERTIFICATION OF SERVICE

This is to certify that a copy of the foregoing Trustee's Motion To Dismiss was served on the Debtor and the Attorney for the Debtor at their last known address with sufficient postage thereon, or, if such interested party is an electronic filing user, by serving such interested party by electronic transmission, pursuant to Local Rule 5005-4(9)(b).

DATED: November 10, 2009

/s/Nancy Burton
Case Administrator

COPIES FURNISHED TO:

DEBTOR

ATTORNEY FOR DEBTOR